

### REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 79-97 will be pending in the application subsequent to entry of this Amendment.

This Amendment accompanies a Request for Continued Examination and responds to the issues raised in the Official Action (O.A.) of August 18, 2008, a Final Rejection.

The claims have been revised and directed to an aspect of the disclosure, namely a process for cold plastic working of metallic materials, *see* page 1, lines 7-12; page 25, lines 8-15 (illustrative metals); page 31, lines 10-21 (drawing tests) and Table 3 on page 33; pages 37 and 38 and the drawing data in Table 5 on page 41. Claim 88 includes a drying step and is based on the discussion at pages 35 and 36.

#### Revised Claims

Correspondence between claims at the time of the Office Action of August 18, 2008 and new claims is as follows:

Claims at O.A.	54	55	56	57	58	59	60	-	61	62
New Claims	79	80	81	79	82	83	83	84	85	-
Claims at O.A.	63	64	-	65	66	67	68	69	70	71
New Claims	-	79	86	87	79	87	88	89	90	91
Claims at O.A.	72	73	74	75	76	77	78			
New Claims	92	93	94	95	96	97	-			

New claim 79 relates to the two-layer particles and the three-layer particles, there is a description already in the claims at the O.A., and as to subjecting the metallic material having the lubricating coating to cold plastic working, throughout the description, and for example, in "DISCLOSURE OF INVENTION", page 17, line 14 to page 19, line 8 and the examples.

In new claim 83, support for "a mixture of the powder with at least one additive selected from the group consisting of waxes, solid lubricants, extremely pressure additives, coating

forming resins, viscosity adjusting agents, lubricating oils, soaps and metallic soaps” is in page 17, lines 14 to page 18, line 19.

Support of new claim 84 is in page 18, lines 20 to page 19, line 8.

Support of new claim 86 is in page 17, lines 14 to page 18, line 19.

Support of the amendment in new claim 88 is throughout the description, and for example, in page 25, lines 8 to page 26, line 13.

Response to Claim Objections

In new claim 96 corresponding to claim 76, the indicated defect is obviated.

Response to Claim Rejections Based on 35 U.S.C. §102

(1) Previous claims 54, 59 and 64 were rejected under 35 U.S.C. §102(b) as being anticipated by Okuda (JP 1-110567). To the extent this reference is thought to apply to any of the new claims presented above this rejection is traversed. Okuda discloses a rust preventive pigment containing aluminum phosphate wherein the surface of particles is treated with a stearic acid metallic soap such as aluminum stearate.

However, there is no disclosure in Okuda as to subjecting a metal object material having on its surface a coating formed from the rust preventive pigment to cold plastic working, and that the coating shows excellent performance as a lubricating coating for cold plastic working.

In the invention according to new claim 79 corresponding to claim 54, the metallic material having on its surface the lubricating coating formed shows excellent seizure resistance and excellent lubricity. This is described in page 17, line 14 to page 19, line 8, and demonstrated in the examples, namely in page 26, line 15 to page 33, line 17.

Therefore, the invention according to new claim 79 is novel over Okuda. Claim 64 corresponds to new claim 79. New claim 83 corresponding to claim 59 is a subordinate claim of new claim 79, and is novel over Okuda.

(2) Previous claims 54-64, 66, 68-71 and 78 were rejected under 35 U.S.C. §102(b) as being anticipated by Kamisaka (JP 2000-154010). To the extent this reference is thought to apply to any of the new claims presented above this rejection is traversed. Kamisaka discloses a rust preventive pigment comprising zinc phosphate fine particles as an effective ingredient, and optionally containing as a dispersant a higher fatty acid or an alkali metal or ammonium salt of a

higher fatty acid, and a rust preventive paint in which the rust preventive pigment is incorporated.

However, there is no disclosure in Kamisaka of subjecting a metallic material having on its surface a coating formed from the rust preventive pigment or rust preventive paint to cold plastic working, and, as explained in the above (1), that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, new claim 79 corresponding to claim 54 and new claim 88 corresponding to claim 68, and the new claims dependent from these are novel over Kamisaka.

Response to Claim Rejections Based on 35 U.S.C. §103

(3) Response to item 5 of O.A.

Previous claims 54-56 and 58 were rejected under 35 U.S.C. §103(a) as not patentable over Okuda in view of Wasel-Nielen (US Patent 4294808). To the extent these references are though to apply to any of the new claims presented above this rejection is traversed.

Wasel-Nielen discloses a phosphorus-containing corrosion resistant pigment obtained by reacting a compound of magnesium, calcium, strontium, barium, zinc, aluminum, iron, chromium or manganese with an oxygen acid of phosphorus or an alkali metal or ammonium salt thereof.

However, there is no disclosure in Okuda nor in Wasel-Nielen as to subjecting a metallic material having on its surface a coating formed from the rust preventive pigment or the corrosion resistant pigment to cold plastic working, and, as explained in the above (1), that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, it is submitted that the inventions according to new claim 79 corresponding to claim 54 and the new claims dependent therefrom are not obvious over Okuda in view of Wasel-Nielen, and these new claims are patentable.

(4) Response to Item 6 of Official Action

Previous claims 65, 67 and 77 were rejected under 35 U.S.C. 103 (a) as not having patentable over Yamoto (US Patent 5587059) in view of Kamisaka. To the extent these references are though to apply to any of the new claims presented above this rejection is traversed.

Yamoto discloses a cathodic electrodeposition paint comprising a cationic film-forming epoxy resin and a crosslinker, both dispersed in an aqueous medium containing a neutralizing agent, and a combination of a cerium compound with either a polyvalent metal phosphomolybdate or a copper compound.

However, there is no disclosure in Yamoto nor in Kamisaka as to subjecting a metallic material having on its surface a coating formed from the electrodeposition paint or the rust preventive pigment to cold plastic working, and, as explained in the above (1), nor that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, it is submitted that the inventions according to new claims 87, 87 and 97 corresponding to claims 65, 67 and 77 are not obvious over Yamoto in view of Kamisaka, and that these new claims are patentable.

Response to Item 7 of O.A.

Previous claims 72 and 74 were rejected under 35 U.S.C. 103 (a) as not being patentable over Kamisaka in view of Dalton (US Patent 6015855). To the extent these references are thought to apply to any of the new claims presented above this rejection is traversed.

Dalton discloses improved paints and coatings which can impart improved corrosion resistance. However, there is no disclosure in Kamisaka nor in Dalton as to subjecting a metallic material having on its surface a coating formed from the rust preventive pigment or the paint (or coating) to cold plastic working, and, as explained in (1) above, or that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, it is submitted that the inventions according to new claims 92 and 94 corresponding to claims 72 and 74 are not obvious over Kamisaka in view of Dalton, and these new claims are patentable.

Response to Item 8 of O.A.

Previous claims 72-73 and 75 are rejected under 35 U.S.C. 103 (a) as not patentable over Kamisaka in view of Lynch (US Patent 5480480). To the extent these references are thought to apply to any of the new claims presented above this rejection is traversed.

Lynch discloses an improved water-in-water multicolor paint with improved capacity for brush application.

However, there is no disclosure in Kamisaka nor in Lynch as to subjecting a metallic material having on its surface a coating formed from the rust preventive pigment or the paint to cold plastic working, and, as explained in (1) above, nor that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, it is believed that the inventions according to new claims 92, 93 and 95 corresponding to claim 72-73 and 75 are not obvious over Kamisaka in view of Lynch, and these new claims are patentable.

Response to Item 9 of O.A.

Previous claim 75 was rejected under 35 U.S.C. 103 (a) as not being patentable over Kamisaka in view of Miyata (US Patent 4761188). To the extent these references are thought to apply to any of the new claims presented above this rejection is traversed.

Miyata discloses a primer coating composition useful for preventing or inhibiting filiform corrosion. However, there is no disclosure in Kamisaka nor in Miyata as to subjecting a metallic material having on its surface a coating formed from the rust preventive pigment or the primer coating composition to cold plastic working, and, as explained in (1) above, that the coating shows excellent performance as a lubricating coating for cold plastic working.

Therefore, it is submitted that the invention according to new claim 95 corresponding to claim 75 is not obvious over Kamisaka in view of Miyata, and new claim 95 is patentable.

Response to Item 10 of O.A.

Previous claim 76 was rejected under 35 U.S.C. §103(a) as not being patentable over Kamisaka. Applicants disagree.

As explained in (2) above, there is no disclosure in Kamisaka as to subjecting a metallic material having on its surface a coating formed from the rust preventive pigment to cold plastic working, and, that the coating shows excellent performance as a lubricating coating for cold plastic working.

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Therefore, it is submitted that the invention according to new claim 96 corresponding to claim 76 is not obvious over Kamisaka, and new claim 96 is patentable.

Reconsideration of this application and allowance of the above claims are solicited.  
Should the examiner require further information please contact the undersigned.

Respectfully submitted,

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